

## REMARKS

Claims 1-20 remain pending.

The examiner appears to reject the claims using the same rationale as in the previous office action, where the examiner's basis for rejection of the claims is the obviousness of replacing bulbs in the top light of a slot machine with LEDs. This is not the present invention.

Applicant will concede for purposes of this patent application that it is obvious to replace incandescent bulbs with LEDs of the same color for the purpose of obtaining the same functionality as the incandescent bulbs but with the benefit of increased reliability, lower heat output, and smaller size.

The examiner rejected Claims 1-8, 11-14, and 16-20 as being obvious over Forbes (US 6,043,615) in view of Lys (US 6,777,891).

Lys was cited for its generic teaching of using computer controlled light strings formed of individually addressable LEDs to obtain attractive color lighting effects. Some general applications mentioned for the LED strings are slot machines, Christmas trees, and Ferris wheels (col. 23, lines 20-27). There was no specific use mentioned for slot machines, but the use clearly intended to be conveyed by Lys for a slot machine was to add a colorful effect to the slot machine housing that would attract players by its dynamic display of changing colors.

(It is to be noted that, in a top light, the color of each segment does not change once the slot machine is designated for a particular jurisdiction that dictates the color of each segment. Lys' invention is directed to a dynamically changing LED string for aesthetics that could not be used in a top light.)

It is believed that the relevance of Lys to Applicant's claims is not as relevant as Applicant's present admission that it is obvious to replace a colored incandescent bulb with the same color LED to perform the exact same function (e.g., for traffic lights, etc.). A single

LED only emits a single color (blue, green, red, etc.) dictated by the chemical composition of the semiconductor layers making up the LED die. Individual LEDs cannot change their color. For example, an incandescent bulb with a blue pigment on the glass bulb will emit blue light, and it would be obvious to replace the blue bulb with a blue LED formed of GaN semiconductor material to perform the exact same function as the blue light bulb. Applicant's top light is not performing the same function as the prior art top lights.

Forbes was cited for its teaching a slot machine with a conventional top light 22 (Fig. 1), which is also admitted prior art in Applicant's specification.

The combination of Forbes' conventional top light with LED technology can, at most, be the replacement of the color rings 24, 26, 28, 30 in Forbes' top light with LEDs **of the exact same color**. This appears to be the examiner's position. However, that is not Applicant's invention.

Applicant's Claim 1 includes the following element:

a top light on a top of the [gaming machine] housing for conveying information about the gaming device, the top light comprising at least one segment, **each segment** comprising a combination of red, green, and blue light emitting diodes (LEDs) whose individual intensities are controllable to create a variety of light colors for conveying information about the gaming device.

Dependent Claims 2, 3, and 8 add further limitations to the segments.

The invention is not a prior art segmented top light with LEDs instead of incandescent bulbs, as the examiner's rejection over Forbes suggests. A key feature of the invention is that each segment in the top light has its color "controllable to create a variety of light colors for conveying information about the gaming device" (without physically changing any part of the top light) to meet the varying requirements of the casinos and jurisdictions (see specification page 1, lines 14-29). **Simply replacing a light bulb with a particular color LED would not serve the function provided by the present invention.**

There is no suggestion by Lys of replacing Forbes' conventional top light with Applicant's claimed top light, since **Applicant's claimed top light performs a function of the top light not suggested by Forbes or Lys.**

Top lights are used on slot machines so they can be seen by casino attendants above the slot machines. Top lights have a purely utilitarian function. The predefined color of each segment and the combinations of the illuminated segments convey to the casino attendant information such as the need for maintenance or to pay off a large win, etc. Each casino or jurisdiction may have their own requirements for the segment color order and combinations. In the prior art, each segment had a conventional white light bulb, and the segment itself was a colored plastic cylinder. So, the physical features of the top light had to be changed for each casino/jurisdiction. **This exact same changing of the physical features of the top light would also apply if each bulb and colored plastic cylinder were replaced by the corresponding color LED** (each segment would only contain one type of LED to generate the required single color designated for that segment by the jurisdiction).

In Applicant's invention, each segment has red, green, and blue LED, where the brightness of each LED is controllable to generate any color in each segment without any change to the physical top light. This allows the exact same gaming machine design to be used in many different jurisdictions having different requirements for the top light segment colors.

There is no disclosure in Forbes that suggests modifying the conventional top light and, in fact, Forbes teaches against modifying the conventional top light by, instead, using replacement fluorescent bulbs behind the display glass to signal promotional events.

The examiner also points to Forbes' col. 4, lines 38-47, for teaching RGB light sources; however, this portion of Forbes describes multi-colored fluorescent bulbs behind the display glass. This has nothing to do with a top light or the premise of Applicant's invention that the top light segment colors are different for different casinos and jurisdictions. In Forbes', the selection of colors is for purely aesthetic reasons.

The examiner has not pointed to anything in the prior art that suggests the color of each segment in the top light be controllable.

Since Claim 1 has been shown to be non-obvious, its dependent claims are also respectfully submitted to be allowable. The various dependent claims recite details of a controller, the number of segments, and other features.

The other independent claim is Claim 17, which has the same patentable features as Claim 1. Accordingly, Claim 17 and its dependent Claims 18-20 are respectfully submitted to be patentable.

Should the Examiner have any questions, please call the undersigned at (408) 382-0480 x202.

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